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In re Application of  
IWAKIRI, Ryuji et al.  
Application No.: 09/869,430  
PCT No.: PCT/JP99/05654  
Int. Filing Date: 14 October 1999  
Priority Date: None  
Attorney's Docket No.: Q65021  
For: THERMOSETTING POWDER  
COATING COMPOSITION

DECISION ON

REQUEST

UNDER 37 C.F.R. 1.42

On 28 June 2001, applicants filed papers for entry into the national stage in the United States. The declaration indicated that one inventor is deceased. This has been treated as a request for status under 37 CFR 1.42.

### BACKGROUND

On 14 October 1999, applicants filed international application PCT/JP99/05654, which designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 19 April 2001.

A Demand electing the United States was filed with the International Preliminary Examining Authority on 01 November 1999. The election was made prior to the expiration of the nineteen months from the priority date. As a result, the deadline for payment of the basic national fee was extended to expire thirty months from the priority date, i.e., 15 April 2002 (14 April 2002 was a Sunday).

On 28 June 2001, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a declaration.

### DISCUSSION

Under 37 CFR 1.42, in case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

The declaration is signed by inventors Ryoichi Fukagawa, Keisuke Tano, Daisuke Tanizawa and Nobuhiko Tsuda and provides their citizenships, residences and mailing addresses.

Additionally, the declaration identifies Miyuki Iwakiri as "Legal Representative Ryuji Iwakiri (deceased)" and provides the citizenship, residence and mailing address of the legal representative in addition to the citizenship, and last known mailing address and residence of Ryuji Iwakiri.

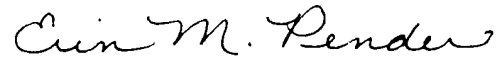
**CONCLUSION**

For the above reasons, the request for status under 37 C.F.R. 1.42 is **GRANTED**.

The application has an international filing date of 14 October 1999 under 35 U.S.C. §363 and a date of 28 June 2001 under 35 U.S.C. §371. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing.



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